

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

---

STEAMFITTERS LOCAL 449 PENSION  
FUND, Individually and on Behalf of All  
Others Similarly Situated,

Plaintiff,

v.

Dennis Alter, William A. Rosoff, Philip  
M. Browne, Christopher J. Carroll,  
David B. Weinstock, John F. Moore, Robert  
S. Blank, Max Botel, Thomas P. Costello,  
Dana Becker Dunn, Ronald Lubner, Olaf  
Olafsson, and Michael A. Stolper,

Defendants.

---

Civil Action No. 09-cv-4730- CMR

**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, upon consideration of the Motion of the Management Defendants to Dismiss the Amended Complaint (the “Motion”) and the accompanying memorandum, the plaintiff’s response thereto, and the Management Defendants’ reply, it is hereby ORDERED as follows:

1. The Motion is GRANTED.
2. The Amended Complaint is dismissed in its entirety with prejudice as to all Defendants.

BY THE COURT:

---

Hon. Cynthia M. Rufe, U.S.D.J.

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

---

STEAMFITTERS LOCAL 449 PENSION  
FUND, Individually and on Behalf of All  
Others Similarly Situated,

Plaintiff,

v.

Dennis Alter, William A. Rosoff, Philip  
M. Browne, Christopher J. Carroll,  
David B. Weinstock, John F. Moore, Robert  
S. Blank, Max Botel, Thomas P. Costello,  
Dana Becker Dunn, Ronald Lubner, Olaf  
Olafsson, and Michael A. Stolper,

Defendants.

---

Civil Action No. 09-cv-4730- CMR

**MOTION OF MANAGEMENT DEFENDANTS  
TO DISMISS THE AMENDED COMPLAINT**

Defendants Dennis Alter, William Rosoff, Philip M. Browne, and David B. Weinstock (the “Management Defendants”) hereby move this Honorable Court, pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6) and the provisions of the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, for the entry of an Order dismissing the Amended Complaint with prejudice as to all Defendants. Grounds supporting this Motion are set forth in the accompanying Memorandum. The Management Defendants respectfully request oral argument.

Dated: October 18, 2010

Respectfully submitted,

s/ Matthew L. Bleich

Steven B. Feirson (21357)

Michael L. Kichline (62293)

Sarah L. Westbrook (91623)

Matthew L. Bleich (208069)

Dechert LLP

Cira Centre, 2929 Arch Street

Philadelphia, PA 19104

(215) 994-4000

Attorneys for Dennis Alter, William

A. Rosoff, Philip M. Browne, and

David B. Weinstock